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# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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Salt Lake City, Utah 84180-1203

801-538-5340

April 15, 1991

CERTIFIED RETURN RECEIPT  
P 074 978 817

Mr. Robert Steele  
1055 North 400 East  
Nephi, Utah 84648

Dear Mr. Steele:

Re: Status of Gardner Canyon Mining Notice, M/023/015, Juab County, Utah

I recently met with Mr. Mark Seinsibaugh, of the U.S. Forest Service and discussed the permitting situation at your Gardner Canyon mine operation. A number of concerns developed at our meeting, which I will outline for you in the following paragraphs.

As I indicated to you previously in my March 4, 1991 letter, once your mine operation goes over 5 acres, you must have an approved mining reclamation plan and surety in place. During my discussions with Mr. Seinsibaugh, it was agreed that the operation is currently under 5 acres; however, the acreage at this time is between 4 and 4 1/2. Also, we are concerned that once the operation is re-initiated, the acreage would quickly go over the 5 acre limit because of the extra mining roads which would be included in the acreage estimate. My advice is that you permit the site under a large mining operation notice, at this time. It would save you the inconvenience of a possible shut down in the middle of future mining operations.

Mr. Seinsibaugh and I discussed your proposal for the mine design at the Gardner Canyon site. Apparently you intend to mine it in the same fashion that you mined the Nephi Gypsum site. This methodology will not be acceptable to the Division or Forest Service because of the resulting unstable and unreclaimable slopes. It will be necessary that you develop another method of mining this site. This applies to either a small mine notice or large mine notice.

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Mr. Seinsibaugh also informed me that the mining activity that has already occurred at the site, has not been permitted. In fact, the mining activity occurred without an initial Notice on your part. Because of this, you are technically in non-compliance with our rules. We must ask you at this point, whether or not you intend to continue the mining operation. If so, you must have a legitimate Notice established with this Division before you proceed, whether that be a small mine or a large mine notice. The Division will require that you inform us concerning the intended status of this operation. If you no longer intend to work the site, you must reclaim it according to the reclamation standards established in the minerals rules. The Forest Service is the surface land managing agency for the site and is concerned that the site not remain unreclaimed, or in an unstable condition for any length of time. We would appreciate receiving notice of your intentions regarding this site, by May 15, 1991.

Please call me or Mr. Wayne Hedberg, Minerals Permit Supervisor, if you have any questions concerning the content of this letter.

Sincerely,

A handwritten signature in dark ink, appearing to read 'H. Shepherd', with a stylized, cursive flourish at the end.

Holland Shepherd  
Senior Reclamation Specialist

jb  
cc: Mark Seinsibaugh, U.S. Forest Service  
Lowell Braxton  
Wayne Hedberg  
M023015.2